

EXHIBIT B

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE HERALD, PRIMEO, AND THEMA
FUNDS SECURITIES LITIGATION

ECF Case

Case No. 09 Civ. 0289 (RMB) (HBP)

[PROPOSED] ORDER

For the reasons stated in Lead Plaintiff Neville Seymour Davis's partial objection to the Court's October 5, 2009 Order (the "Order"), the Court grants Mr. Davis's request to amend the Order and further orders that:

1. the portion of the Order appointing Murray, Frank & Sailer LLP as Lead Counsel in *Perrone v. Benbassat*, No. 09 Civ. 2558 (RMB) (HBP), is withdrawn (*see* Dkt. No. 60 at 17); and
2. Johnson Bottini, LLP is appointed as sole Lead Counsel in the *Perrone* action.

Dated: New York, New York
October ___, 2009

RICHARD M. BERMAN, U.S.D.J.